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T.C.D.  
07/24/02  
Attorney Docket No. P4085  
Client Matter No. 80168.0288

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Paul S. Murray and Karen Learn

Serial No. 09/510,938

Filed: February 22, 2000

For: AVAILABILITY, RELIABILITY OR  
MAINTAINABILITY INDEX INCLUDING OUTAGE  
CHARACTERIZATION

Group Art Unit: 2756

Examiner:

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**JUL 18 2002**

**Technology Center 2100**

Commissioner for Patents  
Washington, D.C. 20231

**POWER OF ATTORNEY BY ASSIGNEE AND  
REVOCATION OF PREVIOUS POWERS**

Sun Microsystems, Inc., assignee of the entire right, title and interest in the above-identified application, hereby revokes all previous powers of attorney in the above-identified application and hereby grants power of attorney to the registered practitioners of Hogan & Hartson, LLP included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

All correspondence should be addressed to the Customer Number provided below:

**Customer Number: 25235**



Assignee also appoints Kenneth Olsen, Reg. No. 26,493; Timothy J. Crean, Reg. No. 37,116; Alexander E. Silverman, Reg. No. 37,940; Anirima R. Gupta,

Reg. No. 38,275; Sean P. Lewis, Reg. No. 42,798; Michael J. Schallop, Reg. No. 44,319; Bernice B. Chen, Reg. No. 42,403; Noreen A. Krall, Reg. No. 39,734; Monica D. Ward, Reg. No. 40,696; Marc D. Foodman, Reg. No. 34,110; Elaine K. Lee, Reg. No. 41,936; Hugh H. Matsubayashi, Reg. No. 43,779; Paul D. Sorkin, Reg. No. 39,039; Marilyn E. Glaubenslee, Reg. No. 35,521; Andrew C. Chen, Reg. No. 43,544; Jeffrey L. Myers, Reg. No. 44,252; Pavel Pogodin, Reg. No. 48,205; of Sun Microsystems, Inc. to prosecute this application and transact all business in the Patent and Trademark Office.

**All telephone calls should be directed to William J. Kubida at 719-448-5909.**

Statement Under 37 CFR § 3.73(b)

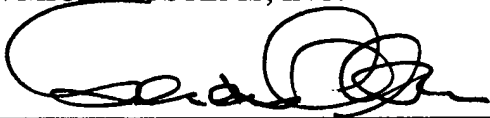
Sun Microsystems, Inc. states that it is the assignee of the entire right, title and interest in the above-identified application by virtue of an assignment from the inventor(s) which was recorded in the Patent and Trademark Office at Reel (010627), Frame (0459), or as shown on the copy of the assignment enclosed herewith.

The undersigned (which title is supplied below) is empowered to sign this statement on behalf of the assignee.

ASSIGNEE:

Date: June 17, 2002

SUN MICROSYSTEMS, INC.

By: 

Name: Kenneth Olsen, Reg. No. 26,493  
Title: Vice President of Intellectual Property  
Address: 901 San Antonio Road  
MS USCA12-203  
Palo Alto, CA 94303

03-27-2000

ATTORNEY DOCKET NO.: 1004-4085

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

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To the Honorable Commissioner of Patents

101309303

and original documents or copy thereof.

## 1. Name of conveying party(ies):

Paul S. Murray  
Karen Learn



Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

## 2. Name and address of receiving party(ies):

Name: Sun Microsystems, Inc.

Internal Address: \_\_\_\_\_

Street Address: 901 San Antonio RoadCity: Palo Alto State: CA ZIP: 94303Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 3. Nature of Conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other \_\_\_\_\_Execution Date: February 22, 2000COPY OF PAPERS  
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## 4. Application number(s) or patent number(s):

09510938

If this document is being filed together with a new application, the execution date of the application is: February 22, 2000

A. Patent Application No.:

B. Patent No.:

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name

David W. O'BrienInternal Address: Zagorin, O'Brien & Graham, L.L.P.Street Address: 1120 S. Capital of Texas Hwy., Bldg. 3, Suite 208City AUSTIN State TX ZIP 78746

## 6. Total number of applications and patents involved

1

## 7. Total Fee (37 CFR 3.41):

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## 8. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

David W. O'Brien

Name of Person Signing

Signature

2/22/00

Date

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## **ASSIGNMENT OF INVENTION**

For good and valuable consideration, the receipt of which is hereby acknowledged,  
I, an ASSIGNOR named below,

Paul S. Murray of Los Gatos, CA  
Karen Learn of Milpitas, CA

hereby sell, assign and transfer to

ASSIGNEE: Sun Microsystems, Inc., a Delaware corporation, having a principal  
place of business at 901 San Antonio RD, Palo Alto, CA 94303,

its successors, assigns and legal representatives, my entire right, title and interest throughout  
the world, including all rights to claim priority, in and to the invention(s) disclosed in:

- ☒ U.S. Patent Application executed on or about the date of this Assignment,
- ☐ U.S. Patent Application executed on \_\_\_\_\_, or
- ☐ U.S. Provisional Application
- ☐ U.S. Application No.: \_\_\_\_\_, filed on \_\_\_\_\_
- ☐ International Application No.: PCT/\_\_\_\_\_, filed on \_\_\_\_\_

ENTITLED: AVAILABILITY, RELIABILITY OR MAINTAINABILITY  
INDEX INCLUDING OUTAGE CHARACTERIZATION, and  
naming as

INVENTOR(S): Paul S. Murray and  
Karen Learn

including without limitation, my entire right, title and interest in and to any and all United  
States and foreign applications (including international, regional and foreign national  
applications) for said invention(s), including divisions, continuations, continuations-in-part,  
renewals, substitutes and extensions thereof, and in and to any and all patents of every  
country or region that may be granted or have been granted for said invention(s), including  
any reissues and reexaminations thereof.

To comply with 37 C.F.R. § 3.21 for recording this Assignment, I authorize and request that  
the application number and filing date be inserted here, if not already shown above,  
(\_\_\_\_\_/\_\_\_\_\_, filed \_\_\_\_\_) when they become known.

I authorize ASSIGNEE to apply for patents of foreign countries for said invention(s), and to  
claim all rights of priority without further authorization from me.

I agree to execute any and all papers useful in connection with any and all United States and  
foreign applications (including international, regional, and foreign national applications), and  
generally to do everything possible to aid ASSIGNEE, its successors, assigns and nominees,  
at their request and reasonable expense, in obtaining and enforcing patents for said  
invention(s) in all countries.

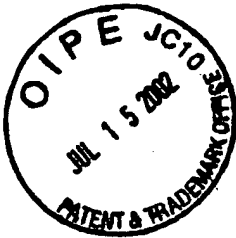
I her by covenant that no assignment, sale, license, agreement, or encumbrance has been or  
will be made or entered into that would conflict with this Assignment.

# ASSIGNMENT OF INVENTION

I authorize and request the Commissioner of Patents and Trademarks to issue any U.S. Letters Patent that may be granted for said invention(s) to ASSIGNEE, its successors or assigns.

Executed on 2/22, 2000 by Paul S. Murray  
Paul S. Murray

Executed on 2/22, 2000 by Karen Leasli  
Karen Leasli



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Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned hereby certifies that the following documents:

1. Power of Attorney by Assignee and Revocation of Previous Powers;
2. Certificate of Mailing By First Class Mail;
3. Return Postcard.

relating to the above application, were deposited as "First Class Mail", with the United States Postal Service, addressed to The Assistant Commissioner for Patents, Washington, D.C., 20231, on 9 July 2002.

9 July 2002  
Date

09 July 2002  
Date

Mailer

William J. Kubida, Reg. No. 29,664

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